

KANSAS BOARD OF COSMETOLOGY

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Executive Director

June/July 2004 Newsletter

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The mission of the Kansas Board of Cosmetology is to protect the health and safety of the consuming public by licensing qualified individuals and enforcing standards of practice.

Members of the Kansas Board of Cosmetology

Dereama Allenbaugh	Hays
Marian Brown	Lawrence
Rogene Handlon	Topeka
Bill Hancock	Haysville
Ron McKenzie	Olathe
Marie Plinsky	Topeka
Tracey Stark	Oakley
Robert Werne, Jr.	Wichita – Board Chair



Don't Wait Until An Inspector Walks Through Your Salon Doors to Abide by the Law and Regulations

The seminar was very informative on health and sanitation. Well worth my time. Thanks for the class.

Terry Brown, cosmetologist, Topeka

In the 22 years of being a cosmetologist I have never been so impressed with the information and material provided at my salon's recent health and sanitation seminar. It was easy to ask questions without the pressure of an inspection. We understand the inspectors are there to help us.

Lesa Arnold, salon owner, cosmetologist, Frontenac

This seminar helped refresh my memory of what was learned many years ago. Thanks!

Lenda Rae Blain, cosmetologist, Liberal

The materials and video used during the seminar opened my eyes about unsanitary practices and their consequences. The seminar was helpful.

Tammy Bieker, salon manager, Wichita

The above comments were made by practitioners who recently attended a Board sponsored health and sanitation seminar. To date over 2000 practitioners have participated in these seminars. Overall the evaluations have been positive and participants believe the time was well spent.

Because one of the Board's responsibilities is to effectively communicate with practitioners on public health issues, the Board provides information through practitioner and facility renewal mailings, salon newsletters and health and sanitation seminars. These efforts have been undertaken to ensure that high standards of practice are achieved and maintained.

Seminars include a full review of the Kansas Department of Health and Environment sanitation regulations. Oftentimes during an inspection a practitioner does not want to take time from the service they are providing a consumer to ask the inspector a question – or they may not want to ask the question in front of the consumer. This seminar provides a relaxed atmosphere and you are encouraged to ask questions!

There is no fee to attend these seminars – they last approximately 90 minutes. Call the Board office to schedule a health and sanitation seminar.

Violations Resulting in Fines and Legal Action

Salons that have licensure law violations or have a history of excessive health and sanitation violations are subject to disciplinary action. This may entail assessing a fine ("not to exceed a \$1,000 per violation") or conditioning, censuring, limiting or revoking a practitioner or facility license. The Board may also refuse to issue, renew or suspend a license.

Don't put your licensure in jeopardy by failing to follow the laws and regulations. If you are uncertain about a law or regulation attend a health and sanitation seminar or call the Board office. You may also e-mail your question(s) to this office.

Total revenue collected for fines in 2003	\$53,900.00
To date revenue collected for fines in 2004	\$26,200.00

It is required that all fine revenue be forwarded to the state general fund. No fine monies may be retained by the Kansas Board of Cosmetology.

Light-Based Treatments for Hair Removal

Questions and complaints have been forwarded to the Board concerning individuals who provide light-based (or also called intense pulse light or laser) treatments for hair removal. Some claims state these services provide permanent hair removal.

Class II medical devices may only be purchased by or on the order of a person who is licensed to practice the healing arts (those licensed to practice medicine or surgery). The Kansas Board of Healing Arts has determined that using this type of device is the practice of surgery.

An individual who provides these services must be under the supervision of a person licensed in Kansas to practice medicine and surgery. Furthermore services must be provided in compliance with the Kansas Board of Healing Arts regulations.

Should the Kansas Board of Cosmetology become aware of any individual providing these services in violation of the law or regulation the information will be forwarded to the Kansas Board of Healing Arts. They may deem it necessary to file civil action seeking an injunction.

Questions may be directed to the Kansas Board of Healing Arts at 785/296-7413 or fax 785/296-0852. You may also file a complaint with the Kansas Board of Cosmetology at the phone number, fax or e-mail listed at the top of this newsletter.

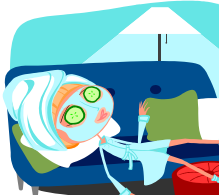
2004 Board Meeting Dates



July 12th
September 13th
November 8th

Facials/Body Treatments: Who Can Provide These Services?

During the past year the Kansas Board of Cosmetology has received inquiries regarding facials and body treatments being performed by massage/bodywork practitioners. Please review the following as outlined in K.S.A. 65-1901:



“Cosmetology” means the profession of: cleansing, stimulating or performing any other noninvasive beautifying process on any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for purposes other than treatment of medical, physical or mental ailments; using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices.

“Esthetician” defines any person who provides services outlined below:

Performing facials, skin care and eyebrow and eyelash services; cleansing, stimulating or performing any other noninvasive beautifying process or any skin surface by means of hands or mechanical or electrical appliances, other than electric needles, provided for purposes other than treatment of medical, physical or mental ailments; using cosmetic preparations, antiseptics, lotions, creams or other preparations in performing any of the practices.

The above underlined wording is where the distinction between cosmetologists and estheticians differ from massage/bodywork practitioners. A massage is manual or mechanical manipulation of body tissue provided for the purpose of relaxation.

Facials

A facial is a massage plus the use of “cosmetic preparations, antiseptics, lotions, creams, or other preparations” to maintain the health of the facial skin, correct some facial skin condition or beautify the skin. Massage/bodywork practitioners use products, such as oil, to aid in the massage, not to maintain the skin’s health or correct a skin condition.

Therefore, a massage/bodywork practitioner may only massage the face with or without oils. Should cosmetic preparations, antiseptics, lotions, creams or other preparations be used when performing a face massage, it becomes the licensed practice of cosmetology and/or esthetics.

Body Treatments

It is understood that body treatments or body wraps may be provided prior to a body massage to calm the nerves and relax the muscles. In some instances, aromatherapy (use of essential oils) in conjunction with body wraps may be used. Since the intent of these body treatments is to promote relaxation, **this is not the sole practice of cosmetology or esthetics**, and can be performed by an unlicensed individual such as a massage/bodywork practitioner.

Should “cosmetic preparations, antiseptics, lotions, creams, or other preparations” be used during a body massage to maintain the health of the skin, correct a skin condition or beautify the skin, this becomes the practice of cosmetology and/or esthetics.

Cosmetology and esthetics (skin care) are regulated by the Kansas Board of Cosmetology. Massage/bodywork is not regulated by the Kansas Board of Cosmetology or any other state agency. It may however be regulated by local, city or county ordinance.

If you have questions about the above, call the Board office.

Inspector Retires

Rosie (Jay) Longfellow, a licensed cosmetologist for over forty years recently retired as a Board inspector. Rosie also served as interim Administrative Officer from June 1997 to March 1998.

Rosie joined the KBOC staff in 1987. Many changes and advances in the cosmetology field have taken place over the 17 years Rosie was a KBOC staff member. Her responsibilities increased with the regulation of tanning facilities, tattoo, body piercing, permanent color technicians and facilities.

The Kansas Board of Cosmetology thanks her for her many contributions to the Board!

New Staff Member

Please welcome Cindy Fellows who was recently hired as the inspector for the western portion of the state. Cindy has been a licensed cosmetologist for 33 years and a salon owner for 26 years. We welcome her to the Kansas Board of Cosmetology.

Exam Raters

Do you want to promote the cosmetology professions and be paid for your efforts? Should you be interested in becoming an exam rater for the State Board practical exams, please forward your resume to the Board office. Your resume will be sent to the testing organization who will contact you regarding compensation, training and other details.

Board Membership

The Board’s regulatory responsibility is to protect the health and safety of the consuming public and promote high standards of professional practice. If you are interested in a Board appointment send a cover letter and resume to: *Director of Appointments, Office of the Governor, State Capitol, Second Floor, room 2265, 300 SW Tenth Street, Topeka, Kansas 66612-1590.*

Address Change

In order to maintain the most accurate information in your licensing file, all licensees must notify the Board office within 10 days of an address change. Address changes may be e-mailed to kboc@kboc.state.ks.us, submitted in writing and faxed to 785/296-3002, or sent to the Board’s address listed at the top of this newsletter.

It is also necessary that you attach a copy of your current drivers license or current government issued photo identification with signature. Notifying the post office does not automatically notify us of an address change.

Board Staff

Mary Lou Davis, Executive Director

Cherie Daniels	Administrative Officer
Mary Lou Cheray	Clerical
Denise Conley	Individual renewal licensure
Jennifer Davis	Law clerk
LeAnna Hickman	In-state licensure & exams
Adele Finney*	Accounting
Emily Smith	Law clerk
Linda Nelson*	Out-of-state licensure & exams
Sheila Rice	Facility licensure

Inspectors

Ava Fiene*	Val Hawn*
Cindy Fellows*	Sue Quinn*

**Licensed cosmetologists.*